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NEW DELHI, FRIDAY, NOVEMBER 25, 2016/AGRAHAYANA 4, 1938

SUPREME COURT OF INDIA

NOTIFICATION

New Delhi, the 24th November, 2016

Rules for providing Domestic Help to Former Chief Justices of India and Former Judges of the Supreme Court

F. No.1/Domestic Help/2016/SCA(J).— 1 These Rules shall be called the rules for providing 'Domestic Help to Former Chief Justices of India and Former Judges of the Supreme Court.'

2. The Rules shall come into force from the date of publication of the Rules in the Official Gazette.
3. **Applicability**
The Rules shall apply to a person who has held office either as a Chief Justice of India or as a Judge of the Supreme Court.
4. **Definitions**
 - (i) Supreme Court means the Supreme Court of India;
 - (ii) Former Chief Justice means a person who has held office of the Chief Justice of India;
 - (iii) Former Judge means a person who has held office of a Judge of the Supreme Court;
 - (iv) Spouse means the wife or, as the case may be, the husband surviving a former Chief Justice or former Judge upon his or her death while in office or after retirement;
 - (v) Domestic Help means the assistance of a helper to be provided to a former Chief Justice or a former Judge of the Supreme Court, or to his or her spouse at the expense of the Supreme Court.
5. **Eligibility**
A former Chief Justice or a former Judge of the Supreme Court shall be entitled to avail of the services of a Domestic Help, if:
 - (a) The facility of a Domestic Help is not being provided to and if provided but not availed by the former Chief Justice or, as the case may be, former Judge of the Supreme Court by the High Court in which the Chief Justice or the Judge may have served prior to his/her appointment as a Judge of the Supreme Court;
 - (b) No facility of a Domestic Help is attached to the office or post to which the former Chief Justice or former Judge is appointed after retirement.

6. Selection of Domestic Help

The former Chief Justice or, as the case may be, former Judge may at her or his discretion select a person to be engaged as a Domestic Help.

7. Contractual appointment

The engagement of a Domestic Help under Rule 6 shall be on a contractual basis and will be available until the former Chief Justice or former Judge is entitled to the benefit of the facility under Rule 5 and until the Domestic Help performs duties satisfactorily subject to the certification of the former Chief Justice or former Judge.

8. Reimbursement

Upon engagement, the monthly remuneration payable to the Domestic Help shall be reimbursed by the Supreme Court to the former Chief Justice or former Judge, as the case may be, at the end of every month.

9. Wages

The wages to be reimbursed by the Supreme Court to the former Chief Justice or former Judge for the engagement of a Domestic Help shall be equivalent to the salary payable to a Class-IV employee of the Supreme Court in the grade of a peon or equivalent at the minimum of the scale of pay inclusive of dearness allowance, and yearly increments as applicable.

10. The former Chief Justice or, as the case may be, former Judge may engage the services of one or more Domestic Help but the Supreme Court shall pay wages equivalent only to what is payable for one Domestic Help at the rate prescribed in Rule 9.

11. Continuance and absorption

- (i) The Domestic Help engaged by a former Chief Justice or former Judge shall continue to remain on a contractual basis so long as he or she renders satisfactory service, as certified by the former Chief Justice or former Judge, as the case may be.
- (ii) Upon completion of not less than ten years' service, either with or without intermittent breaks, the services of the contractually engaged Domestic Help may be considered for absorption on the regular establishment of the Supreme Court, if the Domestic Help is recommended for regularization by the former Chief Justice or former Judge concerned and is found suitable for regular absorption by a Committee of Judges constituted by the Chief Justice to adjudge suitability.
- (iii) The total number of posts to be filled in by way of absorption under clause (ii) above, shall not exceed more than five percent of the total posts of peons borne on the establishment of the Supreme Court.

12. Secondment of a permanent employee

Notwithstanding anything contained in the above Rules, if a peon or equivalent holder of a Class-IV post who is borne on the establishment of the Supreme Court, furnishes to the Secretary General of the Supreme Court, a request in writing to serve a former Chief Justice or former Judge and the services of such an employee are acceptable to the former Chief Justice or, as the case may be, former Judge, he or she may be seconded to work as a Domestic Help until the Domestic Help attains the age of superannuation and/or so long as the former Chief Justice or former Judge is entitled to this facility and desires to retain his/her services.

13. Spouses

The facility which is extended under the aforesaid provisions to a former Chief Justice or former Judge of the Supreme Court shall be provided on the same terms and conditions to the surviving spouse of a former Chief Justice or former Judge, as the case may be, during the lifetime of the spouse.

14. The Chief Justice or former Judge may avail of any other provision or scheme for reimbursement of salary payable to secretarial or other help subject to certifying that the services of a Domestic Help provided or reimbursed under these Rules shall not form the basis of a claim under any other provision or scheme.

15. Interpretation

In the event of any question or dispute arising in regard to the interpretation of these Rules, the Chief Justice shall be competent to take a decision in that regard which shall be final and binding in all respects.

By Order and under the authority of
Chief Justice of India.
R.N. NIJHAWAN, Registrar (Admn.J)